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Attorneys for Defendant  
UNITED TECHNOLOGIES CORPORATION fka  
PRATT & WHITNEY, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

GERALDINE BURTON, individually and  
as personal representative to the estate of  
HAROLD BURTON, decedent; BLAINE  
BURTON, MARK BURTON and DOES  
ONE through TEN, inclusive,

Plaintiffs,

vs.

A.W. CHESTERTON COMPANY, et al.,

Defendants.

Case No. C 07-0703 SI  
(related to Case No. C 07-00702 SI, C 07-  
00712 SI)

**STIPULATION TO CONSOLIDATE  
CASES AND [PROPOSED ORDER]**

Date: May 11, 2007  
Time: 2:00 p.m.  
Dept.: Courtroom 10, 19<sup>th</sup> Floor

This Stipulation to Consolidate case numbers C 07-00702, C 07-00703, and C 07-00712 (“Stipulation”) is entered into by plaintiffs Geraldine Burton, Mark Burton and Blaine Burton (collectively, “Plaintiffs”) and defendants McDonnell Douglas Corporation, The Boeing Company and United Technologies Corporation (collectively, “Defendants”), for themselves and no other defendants, through their respective counsel of record. This Stipulation is entered into with reference to the following facts:

1. On February 2, 2007, Defendants, each individually, removed this consolidated asbestos personal injury and wrongful death action to this Court on “federal officer” grounds pursuant to 28 U.S.C. section 1442(a)(1).
2. Defendant McDonnell Douglas Corporation was assigned case number C 07-00702; Boeing was assigned C 07-00712; and United Technologies was assigned C 07-00703.
3. On February 15, 2007 Judge Illson ordered that all three cases be related to C 07-00702.
4. All parties believed and intended that all motions filed thereafter under case number C 07-00702 applied to all three case numbers.

1           5.       Plaintiffs and Defendants jointly agree that each motion filed under case  
2 number C 07-00702 shall apply to case numbers C 07-00703 and C 07-00712.

3           6.       Plaintiffs and Defendants jointly agree that each order issued under any case  
4 number shall apply to all three cases.

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6           **IT IS HEREBY STIPULATED AND AGREED THAT:**

7           1.       All motions previously filed under case number C 07-00702 apply to case  
8 numbers C 07-00703 and C 07-00712.

9           2.       All orders issued under case number C 07-00702 shall and will apply to case  
10 numbers C 07-00703 and C 07-00712.

Respectfully submitted,

Dated: May 2, 2007

**LEVIN SIMES KAISER & GORNICK LLP**  
JEFFREY KAISER  
JESSICA BIERNIER

By: \_\_\_\_\_/s/

Jessica Biernier

Attorneys for Plaintiffs

GERALDINE BURTON, MARK BURTON  
and BLAINE BURTON

Dated: May 2, 2007

**BRYAN CAVE LLP**

ROBERT E. BOONE III

AMY M. GANTVOORT

By: \_\_\_\_\_ /s/

Amy M. Gantvoort

Attorneys for Defendant

McDonnell Douglas Corporation

Dated: May 2, 2007

**PERKINS COIE LLP**

RONALD McINTIRE

BO KIM

By: /s/

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Bo Kim

Attorneys for Defendant

THE BOEING COMPANY

Dated: May 2, 2007

**TUCKER ELLIS & WEST LLP**

LILLIAN MA

BRIAN CLARK

By: \_\_\_\_\_ /s/

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Lillian Ma

Attorneys for Defendant

UNITED TECHNOLOGIES CORPORATION  
fka PRATT & WHITNEY, INC.

**ORDER**

Based upon the foregoing, and finding good cause therefor, it is hereby ORDERED that:

All motions previously filed under case number C 07-00702 apply to case numbers C 07-00703 and C 07-00712.

All orders issued under case number C 07-00702 shall and will apply to case numbers C 07-00703 and C 07-00712.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: \_\_\_\_\_



Honorable Susan Illston  
UNITED STATES DISTRICT JUDGE

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